

General Permit for Emergency Road Repair

Effective Date: July 1, 2005

Expiration Date: June 30, 2010

This general permit authorizes public entities to make stream alterations necessary to repair public roadways or highways in case of imminent threat to public safety.

Failure to comply with the terms and conditions of this permit is a violation of the *Tennessee Water Quality Control Act of 1977* and is subject to penalty in accordance with T.C.A. §69-3-115.

Notification

- 1) The chief administrative officer of the public highway or transportation department shall notify the division by telephone, as soon as practicable, that an emergency has arisen and indicate their intentions to make repairs in response to the emergency. No advanced authorization is required where immediate repairs are necessary to protect human safety and welfare.
- 2) Within ten days of completion of the emergency repair work, the chief administrative officer shall notify the division, in writing, of the action taken and the nature of the emergency necessitating such immediate repairs.

All activities covered under this general permit shall comply with all terms and conditions contained hereinafter.

Terms and Conditions

- 1) The work shall be accomplished in conformance with the limitations, requirements, and conditions set forth herein.
- 2) Applicant is responsible for obtaining the necessary authorization pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1899*; §404 of *The Clean Water Act* and §26a of *The Tennessee Valley Authority Act*, as well as any other federal, state or local laws.
- 3) Emergency repair work shall be limited to that necessary to restore pre-emergency conditions and to remove threat to public safety.
- 4) Channel enlargements or realignments are not authorized under this general permit, other than to restore pre-emergency conditions.
- 5) The extent of stream alteration associated with the emergency road repair undertaken pursuant to this general permit, shall not exceed a total of 400 linear feet.
- 6) Checkdams shall be utilized where runoff is concentrated. Clean rock, log, sandbag or straw bale checkdams shall be properly constructed to detain runoff and trap sediment. Checkdams or other erosion control devices are not to be constructed in stream. Clean rock can be of various type and size, depending on the application. Clean rock shall not contain fines, soils or other wastes or contaminants.
- 7) Sediment shall be prevented from entering waters of the state. Erosion and sediment controls shall be designed according to the size and slope of disturbed or drainage areas to detain runoff and trap sediment and shall be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices.
- 8) Clearing, grubbing and other disturbance to the riparian vegetation shall be kept at the minimum necessary for emergency repairs and equipment operations. Unnecessary riparian vegetation removal, including trees, is prohibited.
- 9) Stabilization measures shall be initiated within seven days after the construction activity has temporarily or permanently ceased.
- 10) Temporary or permanent soil stabilization shall be accomplished within 15 days after final grading or other earth work. Permanent stabilization with perennial vegetation (using native herbaceous and woody plants where practicable) or other permanently stable, non-eroding surface shall replace any temporary measures as soon as practicable.
- 11) Muddy water to be pumped from excavation and work areas shall be held in settling basins or filtered prior to its discharge into surface waters. Settling basins shall not be located closer than 20 feet from the top bank of the stream and water shall be discharged through a pipe, well grassed or lined channel or other equivalent means so that the discharge does not cause erosion and sedimentation.

- 12) Stream beds shall not be used as transportation routes for construction equipment. Temporary stream crossings shall be limited to one point in the construction area and erosion control measures shall be utilized where stream banks are disturbed. Stream crossings should be constructed of clean rock and stream flow should be conveyed in appropriately sized pipe. The crossing shall be constructed so that stream flow is not obstructed. Following construction, all materials used for the temporary crossing shall be removed and disturbed stream banks shall be restored and stabilized if needed.
- 13) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills shall be reported to the appropriate emergency management agency and to the division. In the event of a spill, measures shall be taken immediately to prevent pollution of waters of the state, including groundwater.
- 14) The repair shall be constructed in the dry to the maximum extent practicable, by diverting flow utilizing cofferdams, berms, temporary channels or pipes. Temporary diversion channels shall be protected by non-erodible material and lined to the expected high water level. Temporary diversion structures shall be removed following project completion.
- 15) This general permit does not authorize impacts to cultural, historical or archaeological features or sites.

APPROVED: Paul E. Davis
Paul E. Davis, Director, Water Pollution Control

DATE: 6-30-05